B9

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,114	03/01/2002	Maria Pinsky	10012030-1	7221

22879 7590 09/08/2004

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER	
NGUYEN, JOSEPH D	

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/085,114	PINSKY ET AL.	
	Examiner	Art Unit	
	Joseph D Nguyen	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 March 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 March 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 10-11, 14-10, 21, and 23-25 are rejected under 35 U.S.C. 102(a) as being anticipated by Gottlieb (6,446,118).

Regarding claim 1, Gottlieb discloses a system for notifying a user of one or more events relating to a computer of the user's (abstract, fig. 1-2), comprising:

a) a notification device (#220 fig. 2) including a microprocessor (the notification device inherently including microprocessor to process the data information that it receives) (col. 5 lines 63 thru col. 6 lines 55), a display (fig. 3, col. 5 lines 16-26) for displaying data, and a wireless receiver for receiving wireless data (fig. 2, col. 1 lines 36-58), the microprocessor coupled with the display and the wireless receiver (fig. 2-3); and

a base station(# 100 fig. 1) including wireless transmitter (abstract, #200 fig. 2, col. 4 lines 15-61) for transmitting data to the wireless receiver when an event has occurred at the computer of the user.

Regarding claim 2, Gottlieb further discloses the system of claim 1, wherein the event includes a receipt of a meeting reminder at the computer (abstract, col. 5 lines 63 thru col. 6 line 3).

Regarding claim 3, Gottlieb further discloses the system of claim 1, wherein the event includes a receipt of a calendar reminder at the computer (abstract, col. 5 lines 63 thru col. 6 line 3).

Regarding claim 4, Gottlieb further discloses the system of claim 1, wherein the event includes a receipt of an e-mail message at the computer (abstract).

Regarding claim 10, Gottlieb further discloses the system of claim 1, wherein the notification device includes a buffer (memory to store e-mail in the notification device) for storing the data received from the base station (col. 4 line 50 thru col. 5 line 5).

Regarding claim 11, Gottlieb further discloses the system of claim 1, wherein the notification device further comprises: at least one user selectable button for controlling the display of data (fig. 3, col. 5 lines 16-26).

Regarding claim 14, Gottlieb discloses an apparatus for notifying a wireless message containing an occurrence of one or more events relating to the user's computer (abstract, fig. 2-2), comprising:

a) a body (#220 fig. 2);

b) wireless receiver for receiving message to the occurrence of an event which occurred at the wireless containing a notification corresponding user's computer (abstract, fig. 2, col. 3 line 41 thru col. 4 line 5);

c) a microprocessor positioned within the body, said microprocessor coupled with the wireless receiver so that the microprocessor receives the notification (the notification device inherently including microprocessor to process the data information that it receives) (col. 5 lines 63 thru col. 6 lines 55) ; and

d) a display positioned on said body and said display coupled with the microprocessor, said display displaying information relating to the notification (fig. 3, col. 5 lines 16-26).

Regarding claim 15, this claim is rejected for the same reason as set forth in claim 2.

Regarding claim 16, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 17, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 18, Gottlieb further discloses the apparatus of claim 14, further comprising; a memory having a portion configured as a queue for storing multiple notifications (fig. 3, col. 5 lines 1-40).

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 11.

Regarding claim 21, Gottlieb discloses a method for notifying a user of an occurrence of an event relating to the user's computer (abstract, fig. 1-2), the method comprising:

a) providing a notification device (#220 fig. 2) including a microprocessor. Inherently the notification device must including microprocessor to process the

data information receive from the computer when event occur, a display for displaying data (fig. 3, col. 5 lines 16-26), and a wireless receiver for receiving data (abstract);

b) providing for detecting (checking to determine) an event occurring at the user's computer (fig. 1-2, col. 2 lines 62-65, and col. 5 line 50 thru col. 6 line 22);

c) transmitting a notification to the notification device, said notification corresponding to the event which has occurred at the computer of the user (col. 4 lines 15-61, and col. 5 line 63 thru col. 6 line 22);

d) receiving the notification at the notification device (abstract); and

e) displaying, on the display of the notification device, information relating to the notification (fig. 3, col. 5 lines 16-34).

Regarding claim 23, this claim is rejected for the same reason as set forth in claim 2.

Regarding claim 24, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 25, this claim is rejected for the same reason as set forth in claim 4.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottlieb (6,446,118) in view of Bork (6,255,800).

Regarding claim 5,Gottlieb further discloses the system of claim 1, wherein the base station (fig. 2). However, Gottlieb does not specifically disclose the base station includes a cradle for receiving at least a portion of the notification device, the cradle detecting whether the notification device is in the cradle.

Bork teaches the base station includes a cradle for receiving at least a portion of the notification device, the cradle detecting whether the notification device is in the cradle (#46 fig. 15, col. 5 line 52 thru col. 6 line 13, and col. 8 lines 5-8). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Gottlieb system with the teaching of Bork of a cradle for receiving at least a portion of the notification device, the cradle detecting whether the notification device is in the cradle in order to detect the mobile device attach or detach to the cradle.

Regarding claim 6, in the modify Gottlieb system, Gottlieb further discloses the system of claim 5, wherein when the notification device is in the cradle, the base station transmits a message to the notification device when the base station detects that the event occurred (abstract, fig. 2, col. 4 lines 15-61).

Regarding claim 7, Gottlieb further discloses the system of claim 6, wherein the message includes a unique code to identify the notification device as an intended recipient of the message (col. 2 lines 45-65).

Regarding claim 8, Gottlieb further discloses the system of claim 5, wherein the notification device includes a rechargeable battery (col. 7 lines 1-4). However, Gottlieb does not specifically disclose the cradle includes a battery charger, so that when the notification device is in cradle, the base station recharges the notification device.

Bork teaches the cradle includes a battery charger (#46 fig. 17), so that when the notification device is in cradle, the base station recharges the notification device (fig. 15). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Gottlieb system with the teaching of Bork of a cradle for recharging the notification device when the device is in the cradle in order to recharge the notification device when it is attach to the cradle.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gottlieb (6,446,118) in view of Bork (6,255,800) and further in view of Becker et al. (4,731,814).

Regarding claim 9, in the modify Gottlieb system, Bork further discloses the system of claim 5, wherein when the notification device is in cradle (fig. 15). However, the Bork does not specifically disclose when the notification device is in cradle, the notification device enters an idle state.

Becker et al. teaches when the notification device is in cradle, the notification device enters an idle state (abstract, fig. 3). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Gottlieb system with the teaching of Becker et al. of the notification device enters an idle state in order to change the mode of the notification device when the notification device is in the cradle.

6. Claims 12-13, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gottlieb (6,446,118) in view of Kita (6,263,218).

Regarding claim 12, Gottlieb further discloses the system of claim 1, wherein the notification device (abstract, fig. 2). However, Gottlieb does not specifically disclose the notification device is integrated in the body of a pen.

Kita teaches the notification device is integrated in the body of a pen (fig. 18, col. 17 lines 10-32). Therefore, it would have been obvious to one ordinary skilled in the art at the time the invention was made to modify the Gottlieb system with the teaching of Kita of the notification device is integrated in the body of a pen in order to provide the user with the notification of incoming signal with a compact type of device that can put in his pocket.

Regarding claim 13, this claim is rejected for the same reason as set forth in claim 12. Except, the notification device is integrated in the body of a pencil.

Regarding claim 20, this claim is rejected for the same reason as set forth in claim 12.

Allowable Subject Matter

7. Claim 22 is allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 22, a method for notifying a user of an occurrence of an event relating to the user's computer (abstract, fig. 1-2), the method comprising:

a) providing a notification device (#220 fig. 2) including a microprocessor. Inherently the notification device must including microprocessor to process the data information receive from the computer when event occur, a display for displaying data (fig. 3, col. 5 lines 16-26), and a wireless receiver for receiving data (abstract);

b) providing for detecting (checking to determine) an event occurring at the user's computer (fig. 1-2, col. 2 lines 62-65, and col. 5 line 50 thru col. 6 line 22);

c) transmitting a notification to the notification device, said notification corresponding to the event which has occurred at the computer of the user (col. 4 lines 15-61, and col. 5 line 63 thru col. 6 line 22);

d) receiving the notification at the notification device (abstract); and

e) displaying, on the display of the notification device, information relating to the notification (fig. 3, col. 5 lines 16-34).

This reference does not disclose the method providing a base station having a cradle for receiving the notification device; and determining when the notification device is positioned within the cradle, and if so, then disabling the

detecting operation until a time when the notification device is not positioned within the cradle.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

Or:

(703) 305-9509 (for informal or draft communications, please label "PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA. Sixth floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph Nguyen

Aug. 27, 2004

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600